GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Registration & Stamps – Sri M.Chandrappa, former Joint Sub Registrar-I, Office of Registrar Office (O.B), Ananthapuram (now retired) – Disciplinary action initiated – Inquiry - Charge proved – Penalty of 100% cut in pension permanently imposed under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 besides recovery of Rs.15.99 lakhs – O.A.No.7064/2012 – Partly allowed – Judgment of APAT implemented – Punishment modified to that of 50% cut in pension permanently besides recovery of Rs.15.99 lakhs - Orders – Issued.

REVENUE (VIGILANCE.II) DEPARTMENT

G.O.Rt.No.81 **Dated:10-01-2018**

Read the following:

1. Procgs of DIG, R&S, Kurnool, No.S/747/2008, dt.24.06.2008.
2. From DR, Kurnool Lr.No.DR/RE/2/2009, dated 28-05-2010.
3. Govt. Memo No.20986/Vig.VI(1)/2011-2, dated 09.12.2011.
4. G.O.Rt.No.453, Revenue (Vigilance-VI) Department, dt.16-07-2012.
5. From DG., ACB, Lr.No.50/DES-ATP/2008, dated 21-02-2009.
6. Charge Memo No.S/898/2008-6, dated 11-08-2009 of DIG, R&S, Kurnool.
7. From DR (MV&A), Kurnool Lr.No.CC/RE/5/2009-6, dt.30-03-2011.
8. G.O.Rt.No.147, Revenue (Vigilance-VI) Department,dt.21-01-2012.
9. Govt. Memo No.16143/Vig.VI(1)/2009-14, dated 22.05.2012
10. G.O.Rt.No.683, Revenue (Vigilance-II) Department, dt.30-06-2014.
11. Orders of the Hon`ble APAT in OA No.7064/2012 dt.30-01-2017 filed by Sri M.Chandrappa, former Joint Sub Registrar-I, Ananthapuram (now Retired).

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O R D E R:

Whereas the Deputy Inspector General, Registration and Stamps, Kurnool initiated disciplinary action against Sri M.Chandrappa, former Joint Sub Registrar-I, Ananthapuram for the irregularities noticed against him and framed two charges, vide reference 1st read above for registering 14 documents without adopting the market value according to basic value guidelines register and thereby caused loss to the Government exchequer and in the regular enquiry the Inquiry Authority has submitted the Inquiry Report vide reference 2nd read above holding the charges as proved and in the meantime, the Charged Officer had retired from service on 30-06-2008 before finalization of the disciplinary proceedings and the matter has been referred to the Government for taking further action against the Charged Officer under Andhra Pradesh Revised Pension Rules, 1980.

2. And whereas the Government after examining the matter observed that the Charged Officer had admitted that he registered the document Nos.8606/2005, 8607/2005 and 8799/2005 in rush of work and caused loss of Rs.15.99 lakhs to the State Exchequer. Accordingly, the Government after following due procedure have imposed the punishment of 100% cut in pension permanently under Andhra Pradesh Revised Pension Rules, 1980 besides recovery of Rs.15.99 lakhs against Sri M.Chandrappa, former Joint Sub Registrar-I, Ananthapuram (now Retired), vide reference 4th read above.

3. And whereas in the reference 5th read above, the Director General, Anti Corruption Bureau, has submitted final report stating that during the surprise check conducted by the Bureau over the office of the Sub Registrar, Ananthapuram on 28-07-2008 noticed that Sri M.Chandrappa who Retired from service on 30-06-2008, as Joint Sub Registrar-I, Ananthapuram had failed to hand over the charge of huge Government cash

Contd.,2

of Rs.2,60,514.50 paise which was received by him from the Additional Judicial First Class Magistrate, Anantapuram relating to the theft amount of the Office of the Sub Registrar, Ananthapuram and was left in the cash chest carelessly without any safeguard nor with any responsible person and recommended to initiate disciplinary action against him. After examining the Surprise Check Report the recommendation of the Director General, Anti Corruption Bureau has been accepted and as per the instructions issued by the Government, the Deputy Inspector General, Registration & Stamps, Kurnool has initiated departmental action against the above said Sri M.Chandrappa former Joint Sub Registrar-I, Ananthapuram (now Retired) for the misconduct committed by him, vide reference 6th read above and in the Regular Inquiry, the Inquiry Officer has submitted the Inquiry Report, vide reference 7th read above holding the charge as not proved.

4. Whereas the Government after examining the Inquiry Report observed that the findings of the Inquiry Authority are not acceptable and accordingly disagreed with the findings of the Inquiry Authority and communicated the following disagreement factor to Sri M.Chandrappa, former Joint Sub Registrar-I, Ananthapuram (now Retired), vide reference 9th read above :

> The Charged Officer has admitted that he has received the cash of Rs.2,60,514/- from the Additional 1st Class Magistrate Court and kept it in cash chest which pertains to the theft case of Office of the Sub Registrar. Therefore he cannot escape from the primary responsibility of having failed to ensure remittance of the money to the Government Account violating instruction about prompt remittance of money to the Government account in the treasury. In view of the above, the findings of the Inquiring Authority is not acceptable to the extent of the above disagreement and therefore decided to take further action as per Rule 21 (2) of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 on the ground that the main charge stands proved.

5. The Government after examining the representation submitted by him and after following due procedure have imposed the penalty of withholding of 50% of pension permanently, vide reference 10th read above.

6. Sri M.Chandrappa former Joint Sub Registrar-I, Ananthapuram (now Retired) has filed OA No.7064/2012 on the punishment of 100% cut in pension permanently under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980, besides recovery of Rs.15.99 lakhs imposed by the Government vide reference 4th read above in respect of disciplinary action initiated for registering 14 documents without adopting the market value according to the basic value guidelines register and caused loss to the Government exchequer.

7. Whereas the Hon`ble Andhra Pradesh Administrative Tribunal has passed final orders on 30-01-2017, vide reference 11th read above and partly allowed the OA and among other things the Hon`ble Tribunal observed that in so far as imposition of the punishment of 100% cut in pension permanently is concerned, the punishment is disproportionate to the charges proved against the applicant. Registration of 14 documents by the applicant by way of misconduct was during two years period of his entire service of few decades and opined that ends of justice will be met if penalty of 100% cut in pension is reduced to penalty of 50% cut in pension permanently to the applicant. The Tribunal has finally allowed OA partly & reduced the penalty imposed against Sri M.Chandrappa, former Joint Sub Registrar-I, Office of the Registering Office (Original Branch), Anathapuram (now retired) from 100% cut in pension to 50% cut in pension permanently, besides recovery of Rs.15.99 lakhs from the applicant.

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8. The Government after examining the matter have decided to implement the Tribunal Orders. The proposed modification of the punishment in pursuance of the Tribunal orders is without prejudice to the punishment of 50% cut in pension permanently imposed by the Government against the Charged Officer, vide reference 10th read above for the misconduct noticed against him during the surprise check conducted by the Anti Corruption Bureau over the office of the Sub Registrar, Ananthapuram on 28-07-2008.

9. Government, accordingly hereby implement the Tribunal orders passed in O.A. No.7064/2012, dated 30-01-2017, in the reference 11th read above and modify the punishment of 100% cut in pension permanently imposed vide reference 4th read above, to that of 50% cut in pension permanently imposed against Sri M.Chandrappa, former Joint Sub Registrar-I, Office of the Registering Office (Original Branch), Ananthapuram (now retired), besides recovery of Rs.15.99 lakhs, without prejudice to the punishment imposed, vide reference 10th read above.

10. The Director and Inspector General, Registration & Stamps, Andhra Pradesh, Vijayawada shall take necessary further action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.D.SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT (CT, EXCISE & R&S)

To
Sri M.Chandrappa, former Joint Sub Registrar-I, Office of the Registering Office (Original Branch), Ananthapuram (now retired).
through the Director and Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada
The Director and Inspector General, Registration & Stamps, Andhra Pradesh, Eedupugallu, Vijayawada (with a request to serve the G.O on the individual and send the served copy with dated signature to Government)

Copy to:

The Secretary to the Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Secretariat Building No.5, Velgapudi, Guntur District.
The Deputy Inspector General, Registration & Stamps, Ananthapuram District.
The Joint Sub Registrar-I, Office of Registering Office, Ananthapuram District.
The Accountant General, Andhra Pradesh, Hyderabad.
The Director, Treasuries & Accounts, Andhra Pradesh, Vijayawada.
The Sub Treasury Officer, Ananthapuram.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER